

By: Sanford

H.B. No. 3914

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Old Celina Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose an assessment or fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3919 to read as follows:

CHAPTER 3919. OLD CELINA MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3919.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "City" means the City of Celina, Texas.

(3) "County" means Collin County, Texas.

(4) "Director" means a board member.

(5) "District" means the Old Celina Municipal Management District No. 1.

Sec. 3919.002. CREATION AND NATURE OF DISTRICT. The Old Celina Municipal Management District No. 1 is a special district created under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 3919.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this

1 chapter. By creating the district and in authorizing the city and
2 other political subdivisions to contract with the district, the
3 legislature has established a program to accomplish the public
4 purposes set out in Section 52-a, Article III, Texas Constitution.

5 (b) The creation of the district is necessary to promote,
6 develop, encourage, and maintain employment, commerce,
7 transportation, housing, tourism, recreation, the arts,
8 entertainment, economic development, safety, and the public
9 welfare in the district.

10 (c) This chapter and the creation of the district may not be
11 interpreted to relieve the city or county from providing the level
12 of services provided to the area in the district as of the effective
13 date of the Act enacting this chapter. The district is created to
14 supplement and not to supplant the city and county services
15 provided in the district.

16 Sec. 3919.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
17 The district is created to serve a public use and benefit.

18 (b) All land and other property included in the district
19 will benefit from the improvements and services to be provided by
20 the district under powers conferred by Sections 52 and 52-a,
21 Article III, and Section 59, Article XVI, Texas Constitution, and
22 other powers granted under this chapter.

23 (c) The district is created to accomplish the purposes of a
24 municipal management district as provided by general law and
25 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
26 Texas Constitution.

27 (d) The creation of the district is in the public interest

1 and is essential to:

2 (1) further the public purposes of developing and
3 diversifying the economy of the state;

4 (2) eliminate unemployment and underemployment; and

5 (3) develop or expand transportation and commerce.

6 (e) The district will:

7 (1) promote the health, safety, and general welfare of
8 residents, employers, potential employees, employees, visitors,
9 and consumers in the district, and of the public;

10 (2) provide needed funding for the district to
11 preserve, maintain, and enhance the economic health and vitality of
12 the district territory as a community and business center; and

13 (3) promote the health, safety, welfare, and enjoyment
14 of the public by providing pedestrian ways and by landscaping and
15 developing certain areas in the district, which are necessary for
16 the restoration, preservation, and enhancement of scenic beauty.

17 (f) Pedestrian ways along or across a street, whether at
18 grade or above or below the surface, and street lighting, street
19 landscaping, parking, and street art objects are parts of and
20 necessary components of a street and are considered to be a street
21 or road improvement.

22 (g) The district will not act as the agent or
23 instrumentality of any private interest even though the district
24 will benefit many private interests as well as the public.

25 Sec. 3919.005. INITIAL DISTRICT TERRITORY. (a) The
26 district is initially composed of the territory described by
27 Section 2 of the Act enacting this chapter.

1 (b) The boundaries and field notes contained in Section 2 of
2 the Act enacting this chapter form a closure. A mistake in the
3 field notes or in copying the field notes in the legislative process
4 does not affect the district's:

5 (1) organization, existence, or validity;

6 (2) right to contract;

7 (3) authority to borrow money or issue bonds or other
8 obligations described by Section 3919.253 or to pay the principal
9 and interest of the bonds or other obligations;

10 (4) right to impose or collect an assessment or
11 collect other revenue; or

12 (5) legality or operation.

13 Sec. 3919.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

14 (a) All or any part of the area of the district is eligible to be
15 included in:

16 (1) a tax increment reinvestment zone created under
17 Chapter 311, Tax Code;

18 (2) a tax abatement reinvestment zone created under
19 Chapter 312, Tax Code; or

20 (3) an enterprise zone created under Chapter 2303,
21 Government Code.

22 (b) If the city creates a tax increment reinvestment zone
23 described by Subsection (a), the city and the board of directors of
24 the zone, by contract with the district, may grant money deposited
25 in the tax increment fund to the district to be used by the district
26 for:

27 (1) the purposes permitted for money granted to a

1 corporation under Section 380.002(b), Local Government Code; and

2 (2) any other district purpose, including the right to
3 pledge the money as security for any bonds or other obligations
4 issued by the district under Section 3919.253.

5 (c) If the city creates a tax increment reinvestment zone
6 described by Subsection (a), the city may determine the percentage
7 of the property in the zone that may be used for residential
8 purposes and is not subject to the limitations provided by Section
9 311.006, Tax Code.

10 Sec. 3919.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
11 DISTRICT LAW. Except as provided by this chapter, Chapter 375,
12 Local Government Code, applies to the district.

13 Sec. 3919.008. FORM OF CITY APPROVAL. (a) A statutory
14 requirement relating to the duty of the district to obtain the
15 approval or consent of the city in a manner other than the manner
16 described by Subsection (b) before the district takes an action,
17 including a requirement prescribed by Section 42.042 or Chapter
18 375, Local Government Code, or Chapter 54, Water Code, does not
19 apply to the district.

20 (b) If a statute, including this chapter, requires the
21 district to obtain the city's approval or consent before taking an
22 action, the district may not take that action unless the action is
23 authorized by a city resolution or ordinance approved by a majority
24 of the governing body of the city.

25 Sec. 3919.009. CONSTRUCTION OF CHAPTER. This chapter shall
26 be liberally construed in conformity with the findings and purposes
27 stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3919.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five directors composed of:

(1) three directors appointed by the governing body of the city;

(2) the city manager; and

(3) the city's chief financial officer.

(b) Appointed directors serve staggered terms of four years, with one or two directors' terms expiring May 31 of each even-numbered year.

Sec. 3919.052. QUALIFICATIONS OF DIRECTOR. (a) Sections 375.063 and 375.072(a) and (c), Local Government Code, do not apply to a director.

(b) Section 49.052, Water Code, does not apply to the district.

(c) Notwithstanding any other law:

(1) an officer or employee of the city may serve as a director of the district;

(2) a member of the governing body of the city may serve as a director of the district; and

(3) a person who qualifies to serve as a director is qualified to participate in all votes pertaining to the business of the district.

Sec. 3919.053. VACANCY. The governing body of the city shall appoint a director to fill a vacancy on the board for the remainder of the unexpired term.

Sec. 3919.054. DIRECTOR'S OATH OR AFFIRMATION. A director

1 shall file the director's oath or affirmation of office with the
2 district, and the district shall retain the oath or affirmation in
3 the district records.

4 Sec. 3919.055. OFFICERS. The board shall elect from among
5 the directors a chair, a vice chair, and a secretary.

6 Sec. 3919.056. COMPENSATION; EXPENSES. (a) The district
7 shall compensate as provided by Section 49.060, Water Code, each
8 director who is not a member of the governing body of the city or an
9 employee of the city.

10 (b) A director is entitled to reimbursement for necessary
11 and reasonable expenses incurred in carrying out the duties and
12 responsibilities of a director.

13 Sec. 3919.057. LIABILITY INSURANCE. The district may
14 obtain and pay for comprehensive general liability insurance
15 coverage from a commercial insurance company or other source that
16 protects and insures the directors against personal liability and
17 from all claims for actions taken as directors or actions and
18 activities taken by the district or by others acting on its behalf.

19 Sec. 3919.058. BOARD MEETINGS. The board shall hold
20 meetings at a place accessible to the public.

21 Sec. 3919.059. REMOVAL OF DIRECTORS. The governing body of
22 the city may remove a director appointed under Section
23 3919.051(a)(1).

24 Sec. 3919.060. INITIAL DIRECTORS. (a) The initial board
25 consists of the following directors:

26 (1) Mike Forman, city manager;

27 (2) Jay Toutounchian, city chief financial officer;

1 and

2 (3) three directors appointed by the governing body of
3 the city.

4 (b) Of the initial directors, the term of one director
5 appointed under Subsection (a)(3) expires May 31, 2016, and the
6 terms of the other two directors appointed under Subsection (a)(3)
7 expire May 31, 2014.

8 (c) The governing body of the city shall determine which
9 director's term expires May 31, 2016, and which directors' terms
10 expire May 31, 2014.

11 (d) This section expires September 1, 2016.

12 SUBCHAPTER C. POWERS AND DUTIES

13 Sec. 3919.101. GENERAL POWERS AND DUTIES. The district has
14 the powers and duties necessary to accomplish the purposes for
15 which the district is created.

16 Sec. 3919.102. IMPROVEMENT PROJECTS. The district may
17 provide, or it may enter into contracts with a governmental or
18 private entity to provide, the improvement projects described by
19 Subchapter C-1 or activities in support of or incidental to those
20 projects.

21 Sec. 3919.103. WATER DISTRICT POWERS. (a) Except as
22 provided by Subsection (b), the district has the powers provided by
23 the general laws relating to conservation and reclamation districts
24 created under Section 59, Article XVI, Texas Constitution,
25 including Chapters 49 and 54, Water Code.

26 (b) The district may not provide wholesale or retail water
27 or wastewater service.

1 (c) The district shall display a design selected by the city
2 on a water tower or tank the district constructs or finances. The
3 district may not display the name or logo of the district or of any
4 other entity on the water tower or tank.

5 Sec. 3919.104. ROAD PROJECT POWERS; LIMITATION. The
6 district has the road project powers provided by Chapter 375, Local
7 Government Code, except that the district may not impose an ad
8 valorem tax under Section 375.0921, Local Government Code.

9 Sec. 3919.105. PUBLIC IMPROVEMENT DISTRICT POWERS. The
10 district has the powers provided by Chapter 372, Local Government
11 Code, to a municipality or county.

12 Sec. 3919.106. CONTRACT POWERS. The district may contract
13 with a governmental or private entity, on terms determined by the
14 board, to carry out a power or duty authorized by this chapter or to
15 accomplish a purpose for which the district is created.

16 Sec. 3919.107. LIMITATIONS ON EMERGENCY SERVICES POWERS.
17 Sections 49.216 and 49.351, Water Code, do not apply to the
18 district.

19 Sec. 3919.108. ECONOMIC DEVELOPMENT. The district may
20 engage in activities that accomplish the economic development
21 purposes of the district.

22 Sec. 3919.109. ADDING OR REMOVING TERRITORY. As provided
23 by Subchapter J, Chapter 49, Water Code, the board may add territory
24 inside the boundaries of the city or the extraterritorial
25 jurisdiction of the city to the district or remove territory inside
26 the boundaries of the city or the extraterritorial jurisdiction of
27 the city from the district, except that:

1 (1) the addition or removal of the territory must be
2 approved by the city;

3 (2) the addition or removal may not occur without
4 petition by the owners of the territory being added or removed; and

5 (3) territory may not be removed from the district if
6 bonds or other obligations of the district payable wholly or partly
7 from assessments assessed on the territory are outstanding.

8 Sec. 3919.110. NO TOLL ROADS OR MASS TRANSIT. The district
9 may not construct, acquire, maintain, or operate a toll road or mass
10 transit system.

11 Sec. 3919.111. NO EMINENT DOMAIN POWER. The district may
12 not exercise the power of eminent domain.

13 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

14 Sec. 3919.151. IMPROVEMENT PROJECTS AND SERVICES. Except
15 as otherwise provided by this chapter, the district may provide,
16 design, construct, acquire, improve, relocate, operate, maintain,
17 or finance an improvement project or service using any money
18 available to the district, or contract with a governmental or
19 private entity to provide, design, construct, acquire, improve,
20 relocate, operate, maintain, or finance an improvement project or
21 service authorized under this chapter or Chapter 372 or 375, Local
22 Government Code.

23 Sec. 3919.152. BOARD DETERMINATION REQUIRED. The district
24 may not undertake an improvement project unless the board
25 determines the project is necessary to accomplish a public purpose
26 of the district.

27 Sec. 3919.153. LOCATION OF IMPROVEMENT PROJECT. An

improvement project may be located or provide service inside or outside the district.

Sec. 3919.154. CITY REQUIREMENTS. (a) An improvement project in the city must comply with any applicable requirements of the city, including codes and ordinances.

(b) The district may not provide, conduct, or authorize any improvement project on the city's streets, highways, rights-of-way, or easements without the consent of the city.

Sec. 3919.155. ADDITIONAL CITY POWERS REGARDING IMPROVEMENT PROJECTS. (a) The city may:

(1) by ordinance or resolution require that title to all or any portion of an improvement project vest in the city; or

(2) by ordinance or resolution authorize the district to own, encumber, maintain, and operate an improvement project or convey the project to the city at a later date.

(b) The district shall immediately comply with any city ordinance or resolution adopted under this section.

Sec. 3919.156. IMPROVEMENT PROJECT AND SERVICE IN DEFINABLE AREA. The district may undertake an improvement project or service that confers a special benefit on a definable area in the district and levy and collect a special assessment on benefited property in the district in accordance with:

(1) Chapter 372, Local Government Code; or

(2) Chapter 375, Local Government Code.

Sec. 3919.157. CONTRACTS. A contract to design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project is considered a contract for a good or service

under Subchapter I, Chapter 271, Local Government Code.

SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

Sec. 3919.201. DIVISION OF DISTRICT; PREREQUISITE. The district, including territory added to the district under Section 3919.109, may be divided into two or more new districts only if the district has no outstanding bonded debt.

Sec. 3919.202. LAW APPLICABLE TO NEW DISTRICT. This chapter applies to any new district created by division of the district, and a new district has all the powers and duties of the district.

Sec. 3919.203. DIVISION PROCEDURES. (a) The board, on its own motion or on receipt of a petition signed by an owner of real property in the district, may adopt an order proposing to divide the district.

(b) The board may not divide the district unless the division is approved by the city. The resolution or ordinance approving the division may set terms for the division under Subsection (c).

(c) If the board decides to divide the district, the board shall, subject to the city's resolution or ordinance:

(1) set the terms of the division, including names for the new districts and a plan for the payment or performance of any outstanding district obligations;

(2) prepare a metes and bounds description for each proposed district; and

(3) appoint initial directors for each new district.

Sec. 3919.204. NOTICE AND RECORDING OF ORDER. Not later

1 than the 30th day after the date of an order dividing the district,
2 the district shall:

3 (1) file the order with the Texas Commission on
4 Environmental Quality; and

5 (2) record the order in the real property records of
6 the county.

7 Sec. 3919.205. CONTRACT AUTHORITY OF NEW DISTRICTS. (a)
8 Except as provided by Subsection (b), the new districts may
9 contract with each other for any matter the boards of the new
10 districts consider appropriate, including the joint construction
11 or financing of a utility improvement and the joint financing of a
12 maintenance obligation.

13 (b) The new districts may not contract with each other for
14 water and wastewater services.

15 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

16 Sec. 3919.251. DISBURSEMENTS AND TRANSFERS OF MONEY. The
17 board by resolution shall establish the number of directors'
18 signatures and the procedure required for a disbursement or
19 transfer of the district's money.

20 Sec. 3919.252. MONEY USED FOR IMPROVEMENTS OR SERVICES.
21 The district may undertake and provide an improvement project or
22 service authorized by this chapter using any money available to the
23 district.

24 Sec. 3919.253. BORROWING MONEY; OBLIGATIONS. (a) The
25 district may borrow money for a district purpose, including the
26 acquisition or construction of improvement projects authorized by
27 this chapter and the reimbursement of a person who develops or owns

1 an improvement project authorized by this chapter, without holding
2 an election by issuing bonds, notes, time warrants, or other
3 obligations, or by entering into a contract or other agreement
4 payable wholly or partly from an assessment, a contract payment, a
5 grant, other district revenue, or a combination of these sources.

6 (b) An obligation described by Subsection (a):

7 (1) may bear interest at a rate determined by the
8 board; and

9 (2) may include a term or condition as determined by
10 the board.

11 Sec. 3919.254. ASSESSMENTS. (a) Except as provided by
12 Subsection (b), the district may impose an assessment on property
13 in the district to pay for an obligation described by Section
14 3919.253 in the manner provided for:

15 (1) a district under Subchapter F, Chapter 375, Local
16 Government Code; or

17 (2) a municipality or county under Subchapter A,
18 Chapter 372, Local Government Code.

19 (b) The district may not impose an assessment on a
20 municipality, county, or other political subdivision.

21 Sec. 3919.255. NOTICE OF ASSESSMENTS. (a) The board shall
22 annually file written notice with the secretary of the city that
23 specifies the assessments the district will impose in the
24 district's next fiscal year in sufficient clarity to describe the
25 assessments for the operation and maintenance of the district and
26 the assessments for the payment of debt service of obligations
27 issued or incurred by the district.

1 (b) The board shall annually record in the deed records of
2 the county a current assessment roll approved by the city.

3 (c) The assessment roll must clearly state that the
4 assessments in the assessment roll are in addition to the ad valorem
5 taxes imposed by other political subdivisions that tax real
6 property in the district.

7 (d) The district shall generate and implement a program to
8 provide notice modeled on the notice described by Section
9 49.452(c), Water Code, to a prospective purchaser of property in
10 the district of the assessments that have been approved and are
11 imposed by the district.

12 Sec. 3919.256. RESIDENTIAL PROPERTY NOT EXEMPT. Section
13 375.161, Local Government Code, does not apply to the district.

14 Sec. 3919.257. NO IMPACT FEES. The district may not impose
15 an impact fee.

16 Sec. 3919.258. NO AD VALOREM TAX. The district may not
17 impose an ad valorem tax.

18 SUBCHAPTER F. DISSOLUTION

19 Sec. 3919.301. DISSOLUTION BY CITY. (a) The city may
20 dissolve the district by ordinance.

21 (b) The city may not dissolve the district until:

22 (1) the district's outstanding debt or contractual
23 obligations have been repaid or discharged; or

24 (2) the city agrees to succeed to the rights and
25 obligations of the district.

26 Sec. 3919.302. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

27 (a) If the dissolved district has bonds or other obligations

1 outstanding secured by and payable from assessments or other
2 revenue, the city succeeds to the rights and obligations of the
3 district regarding enforcement and collection of the assessments or
4 other revenue.

5 (b) The city shall have and exercise all district powers to
6 enforce and collect the assessments or other revenue to pay:

7 (1) the bonds or other obligations when due and
8 payable according to their terms; or

9 (2) special revenue or assessment bonds or other
10 obligations issued by the city to refund the outstanding bonds or
11 obligations of the district.

12 Sec. 3919.303. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
13 After the city dissolves the district, the city assumes the
14 obligations of the district, including any bonds or other debt
15 payable from assessments or other district revenue.

16 (b) If the city dissolves the district, the board shall
17 transfer ownership of all district property to the city.

18 SECTION 2. The Old Celina Municipal Management District No.
19 1 initially includes all the territory contained in the following
20 area:

21 West Tract

22 All that certain tract or parcel of land situated in the Henry
23 Bentley Survey, Abstract Number 124 and the B.B.B. & C.R.R. Survey,
24 Abstract Number 132, County of Collin, State of Texas, said tract
25 being all of a called 30.45 acre tract as described in deed to
26 Dorothea Cornelius, filed 24 April 2007, and recorded in county
27 clerks number 07-000549120 of the deed records of the County of

Collin, State of Texas, and said tract being part of a called 11.13 acre tract as described in deed to Cornelius Family Revocable Trust, filed 24 April 2007, and recorded In county clerks number 07-000549090 of said deed records, and being more fully described as follows;

Beginning for the southwest corner of the tract being described herein at a found 1/2 inch rebar, said rebar being the southwest corner of said Cornelius 30 acre tract, some being the southeast corner of a called 99.028 acre tract as described in deed to Old Celina, Ltd filed 11 June 2002, and recorded in volume 5208 page 3408 of said deed records, said rebar also being on the north line of a called 73.558 acre tract as described in deed to Old Celina, Ltd, filed 11 June 2002, and recorded in volume 5208 page 3382 of said deed records;

Thence: North 00 degrees 28 minutes 22 seconds West, with the west line of said Cornelius 30 acre tract, and with the east line of said Old Celina 99 acre tract, a distance of 867.05 feet to a found 3/8 Inch rebar for the northwest corner of said Cornelius 30 acre tract, same being the southwest corner of a called 39.02 acre tract as described in deed to the City of Celina, filed 10 October 2000, and recorded in volume 4770 page 2324 of said deed records;

Thence: North 88 degrees 39 minutes 42 seconds East, with the south line of said City tract, a distance of 1561.03 feet to a set 1/2 inch steel square tubing for the southeast corner of said City tract, some being the southwest corner of a called 0.8024 acre tract as described in deed to the City of Celina; filed 01 September 2004, and recorded in volume 5744 page 4860 of said deed records;

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1 Thence: North 88 degrees 29 minutes, 00 seconds East, with the south
2 line of said City tract, a distance of 224.07 feet to a set 1/2 inch
3 steel square tubing for the northeast corner of this tract, said
4 tubing being on the west right of way line of Farm to Market Road
5 Number 428, and said tubing being in a curve to the left having a
6 central angle of 01 degrees 37 minutes 20 seconds, and a radius of
7 1190.91 feet and a chord bearing of South 40 degrees 42 minutes 20
8 seconds fast, and a chord distance of 33.72 feet;
9 Thence: With said curve to the left and with the west line of said
10 road an arc length of 33.72 feet to a set 1/2 inch steel square
11 tubing for the end of said curve;
12 Thence: South 41 degrees 31 minutes 00 seconds East, with the west
13 line of said road a distance of 20.40 feet to a set 1/2 inch steel
14 square tubing for the start of a curve to the right having a central
15 angle of 40 degrees 02 minutes 00 seconds, and a radius of 1101.03
16 feet, and a chord bearing of South 21 degrees 30 minutes 00 seconds
17 fast, and a chord distance- of 753.75 feet;
18 Thence: With said curve to the right and with the west line of said
19 road an arc length of 769.31 feet to a set 1/2 inch steel square.
20 Tubing for the end of said curve;
21 Thence: .South 01 degrees 29 minutes 00 seconds East, with the west
22 line of said road, a distance of 129.80 feet to a set 1/2 inch steel
23 square tubing for the southeast corner of this tract, same being the
24 northeast corner of Exhibit "C" a called 28.15 acre tract as
25 described in Partition Deed to Sandra Short Osborne, filed 12 March
26 1986, and recorded In volume 2325 page 801 of said deed records;
27 Thence: South 88 degrees 54 minutes 08 seconds West, with the north

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1 line of said Osborne tract, a distance of 1332.93 feet to a found 1
2 inch pipe by a pipe fence corner post for file northwest corner of
3 Tract One a called 15.66 acre tract as described in deed to Jerry L.
4 Moore, filed 24 October 1994; and recorded in county clerks number
5 94-0095870 of said deed records, same being the northeast corner of
6 a called 16.141 acre tract as described in deed to Old Celina Ltd.,
7 filed 11 June 2002, and recorded in volume 5208 page 3366 of said
8 deed records;

9 Thence: South 89 degrees 05 minutes 50 seconds West, with the north
10 line of said Old Celina 16 acre tract, a distance of 759.97 feet to
11 the POINT OF BEGINNING and containing 40.233 acres of land.

12 East Tract

13 All that certain tract or parcel of land situated in the B.B.B. &
14 C.R.R. Survey, Abstract Number 132, County of Collin, State of
15 Texas, said tract being part of a called 11.13 acre tract as
16 described in deed to Cornelius Family Revocable Trust, filed 24
17 April 2007, and recorded in county clerks number 07-000549090 of
18 the deed records of the County of Collin, State of Texas, and being
19 more fully described as follows:

20 Beginning for the southeast corner of the tract being described
21 herein at a set 1/2 inch steel square tubing on the east line of said
22 Cornelius tract in a county road said tubing being a southwest
23 corner of a called 107:207 acre tract as described to deed to Martha
24 Ann King and Peggy Sue Earthman filed 29 December 1992, and recorded
25 in county clerks number 92-0091305 of said deed records, said
26 tubing also being on the east right of way line of Farm to Market
27 Road Number 428,

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1 Thence: South 88 degrees 31 minutes 00 seconds West, with the east
2 line of said road a distance of 45.05 feet to a set 1/2 Inch steel
3 square tubing for the start of a curve to the left having a central
4 angle of 16 degrees 36 minutes 28 seconds, and a radius of 1191.03
5 feet, and a chord bearing of North 32 degrees 12 minutes 35 seconds
6 attest, and a chord distance of 344.03 feet;

7 Thence: With-said curve to the left and with the east line of said
8 road, an arc length 345.23 feet to a set 1/2 inch steel square
9 tubing for the northwest corner of this tract, said tubing being in
10 Collin County Road Number 56;

11 Thence: North 88 degrees 29 minutes 00 seconds East, with the north
12 line of said Cornelius tract, and with said road a distance of
13 220.82 feet to a set 1/2 inch steel square tubing for the northeast
14 corner of said Cornelius tract, and said tubing being on the west
15 line of said King tract, said tubing also being at this intersection
16 of said county roads;

17 Thence: South 01 degrees 29 minutes 00 seconds East, with the east
18 line of said Cornelius tract, and with the west line of said King
19 tract, and with the center of said county road, a distance of
20 295.86 feet to the POINT OF BEGINNING and containing 0.837 of an
21 acre of land

22 EXHIBIT "A"

23 BEING a tract of land situated in Collin County, Texas and being in
24 the Henry Bentley Survey, Abstract No. 124 and being A part of that
25 certain tract of land known as Tract One, conveyed to Clifford Gee
26 McKnight, as recorded in Volume 2430, Page 665, of the Deed Records
27 of Collin County, Texas. (D.R.C.C.T.) and being more particularly

1 described by metes and bounds as follows:

2 BEGINNING at a 2 1/2 inch iron pipe found for corner, said corner
3 being in the south, right-of-way line of F.M. Highway No. 455 (a
4 public thoroughfare) and also being the northeast corner of a tract
5 of land conveyed to Rex Glendenning, et ux, as recorded in Volume
6 4408, Page 1763, D.R.C.C.T.:

7 THENCE North 88 degrees 23 minutes 45 seconds East along said south
8 right-of-way line, a distance of 885.98 foot to a 3/8-inch iron rod
9 found for corner, said corner being the northwest corner of a tract
10 of land conveyed to Hassan Badii, as recorded in Volume 2031, Page
11 943, D.R.C.C.T.;

12 THENCE South 00 degrees 48 minutes 00 seconds East along the weal
13 line of said Badii tract, and along the west line of a tract of land
14 conveyed to Stephen Harold Mills, as recorded in Volume 4987, Page
15 3011. D.R.C.C.T. and the west line of a tract of land conveyed to
16 the City of Celina, as recorded in Volume 4770, Page 2324,
17 D.R.C.C.T., a distance of 2150.90 feet to a 5/8-inch iron rod found
18 for an ell comer of said City of Celina tract;

19 THENCE South 89 degrees 02 minutes 12 seconds West along the most
20 southerly north line of said City of Celina tract, a distance of
21 881.92 feet to 1/2-inch iron rod with cap stamped "ALLIANCE" found
22 for corner, said corner being on the east line of the aforementioned
23 Glendenning tract;

24 THENCE North 00 degrees 54 minutes 23 seconds West along the east
25 line of said Glendenning tract, a distance of 2140.98 foot to the
26 POINT OF BEGINNING;

27 CONTAINING a computed area of 1,896,815 square feet or 43.545 acres

1 of land.

2 Exhibit "A"

3 BEING all that certain tract or parcel of land situated in the H.
4 BENTLEY SURVEY, Abstract No. 124 in the City of Celina, Collin
5 County, Texas and being out of a 44.50 acre tract of land described
6 in deed to Clifford Gee McKnight, recorded in Volume 2430, Page 665
7 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being
8 more particularly described as follows:

9 BEGINNING of a 1/2-inch iron rod found at the southeast corner of
10 said McKnight tract of land, being an ell corner for a 39.02 acre
11 tract of land described in deed to the City of Celina, recorded in
12 Volume 4770. Page 2324, D.R.C.C.T.;

13 THENCE S 89°03'24" W, along the common line of said McKnight and City
14 of Celina tracts, a distance of 881.83 feet to a 1/2-inch iron rod
15 found for a corner on the easterly line of a 99.028 acre tract of
16 land described in deed to Rex Glendenning, recorded In Volume 4408,
17 Page 1763, D.R.C.C.T.;

18 THENCE N 01°05'22" W, along the common line of said McKnight and
19 Glendenning tracts, a distance of 246.81 feet to a 1/2-inch capped
20 iron rod (stamped "SRA 3225") set for a corner;

21 THENCE N 89°03'24" E, departing said common line, a distance of
22 883.07 feet to a 1/2-inch capped iron rod (stamped "SRA 3225") set
23 for a corner on the westerly line of the aforesaid City of Celina
24 tract of land;

25 THENCE S 00°48'00" E, along the common line of sold McKnight and City
26 of Celina tracts, a distance of 246.81 feet to the POINT OF
27 BEGINNING and containing 217,600 square feet or 5.000 acres of

1 land, more or less.

2 THENCE South 88 degrees 18 minutes 39 seconds West following the
3 north line of said 73.558 acres a distance of 824.02 feet to 2 inch
4 iron pipe found for corner at the northeast corner of said 73.558
5 acre tract;

6 THENCE South 88 degrees 30 minutes 52 seconds West a distance of
7 2900.39 feet to wood fence post in the creek for corner;

8 THENCE North 00 degrees 59 minutes 11 seconds West a distance of
9 421.72 feet to 1/2 inch iron rod found for corner at the southwest
10 corner of a 75.0307 acre tract as recorded in County Clerk No.
11 94-0092806 of Collin County, Texas;

12 THENCE North 87 degrees 43 minutes 39 seconds East following the
13 south line of said 75.0307 acre tract a distance of 2922.26 feet to
14 a 1 inch iron pipe found for corner at an ell corner of said 75.0307
15 acre tract;

16 THENCE North 00 degrees 48 minutes 41 seconds West following the
17 east line of said 75.0307 acre tract a distance of 3339.14 feet to a
18 60d nail found for corner in County Road No. 8;

19 THENCE North 88 degrees 19 minutes 00 seconds East following said
20 County Road No. 8 a distance of 75.37 feet to a 60d nail found for
21 corner in the south ROW line of said FM No. 455, said 60d nail also
22 being in a curve to the left with a chord bearing of South 80 degrees
23 57 minutes 03 seconds East and a chord distance of 241.64 feet;

24 THENCE along said curve to the left following the south ROW line of
25 said FM No. 455 through a central angle of 21 degrees 27 minutes 53
26 seconds a radius distance of 648.80 feet and an arc distance of
27 243.06 feet to a 1/2 inch iron rod set for corner;

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1 THENCE North 88 degrees 19 minutes 00 seconds East following the
2 south ROW line of FM No. 455 a distance of 483.09 feet to the POINT
3 OF BEGINNING and containing 4,313,677 square feet or 99.028 acres
4 of land, more or less.

5 Reservation from and Exceptions to Conveyance and Warranty:

6 Any portion of the property described herein within the limits or
7 boundaries of any public or private roadway and/or highway,
8 including, but not limited to, that portion of the subject property
9 in County Road No. 8.

10 Right-of-way easement executed by Douglas J. Barker dba Barker
11 Bros. Land & Cattle Company to County of Collin, dated January 2,
12 1991, recorded in Volume 3421, Page 192, of the Deed Records of
13 Collin County, Texas.

14 EXHIBIT "A"

15 SITUATED in Collin County, Texas, in the George Wiley Survey,
16 Abstract No. 988, and the Samuel McCullough Survey, Abstract No.
17 593, being a resurvey of the 73.32 acre FIRST TRACT and the SECOND
18 TRACT as described in a deed from Annie S. Yager to T.S. Yager, et al
19 dated August 7, 1981, recorded in Volume 1421, Page 15 of the Collin
20 County, Deed Records, being described by metes and bounds as
21 follows:

22 BEGINNING at an iron pipe found in the north R.O.W. line of Farm
23 Road No. 428, at the northeast corner of the 1.622 acres R.O.W.,
24 Ref. V. 491, P. 47, at the southwest corner of the Rex Glendenning
25 73.558 acres, Ref. V. 3968, P. 2169;

26 Thence westerly with said north R.O.W, line (the north line of said
27 1.622 acres) as follows:

H.B. No. 3914

1 South 89 degrees 05 minutes west, 17.5 feet;
2 South 88 degrees 43 minutes west, 1552.31 feet with said north
3 R.O.W. line (the north line of said 1.622 acres) to an iron pin set
4 at the northwest corner of said 1.622 acres, and at the southeast
5 corner of the Robert L. King 86.849 acres, Ref. V. 1560, P. 259;
6 Thence north 0 degrees 43 minutes 22 seconds west, 2594.58 feet with
7 the west line of said 73.32 acre tract and the east line of said
8 86.849 acre tract to an iron pin set at the northwest corner of said
9 73.32 acre tract and the northeast corner of said 86.849 acres, same
10 being in the south line of the Douglas Parker 99.288 acres;
11 Thence north 88 degrees 40 minutes east, 1569.81 feet with the north
12 line of said 73.32 acre tract and the north line of said SECOND
13 TRACT and with the south line of said 99.288 acres to a 2" iron pipe
14 found at the northeast corner of-said SECOND TRACT and the
15 northwest corner of said 73.558 acre tract;
16 Thence south 0 degrees 43 minutes 23 seconds east, 2596.06 feet with
17 the east line of said SECOND TRACT and the west line of said 73.558
18 acre tract to the PLACE OF BEGINNING and containing 93.523 acres of
19 land.

20 LEGAL DESCRIPTION

21 BEING a tract of land situated in the Samuel McCullough Survey,
22 Abstract No, 593, Collin County, Texas and also being all of a 16
23 acre tract as recorded in County Clerks No. 94-0111727, and being
24 more particularly described by metes and bounds as follows:
25 BEGINNING at a 1/2 inch iron rod set for corner, said iron rod being
26 in the north Right of Way line of F. M. 428, said iron rod also being
27 the most southwest corner of a tract conveyed to Randall L. & wife

H.B. No. 3914

1 Bonnie P. Moore as recorded in Volume 995, Page 219 of the Deed
2 Records of Collin County, Texas;
3 THENCE North 89 degrees 04 minutes 23 seconds West following the
4 north ROW line of said F.M. No. 428 a distance of 30.53 feet to a 1/2
5 inch iron rod found;
6 THENCE North 00 degrees 44 minutes 59 seconds East a distance of
7 2604.08 feet to a 1/2 inch iron rod found for corner,
8 THENCE South 89 degrees 26 minutes 08 seconds East a distance of
9 350.00 feet to a axle found for corner;
10 THENCE South 00 degrees 43 minutes 06 seconds West a distance of
11 1947.51 feet to a 1/2 inch iron rod found for corner in the north
12 line of said Moore tract;
13 THENCE North 89 degrees 19 minutes 15 seconds West following the
14 north line of said Moore tract a distance of 319.00 feet to a 1/2
15 inch iron rod set for corner;
16 THENCE South 0 degrees 53 minutes 01 seconds West following the west
17 line of said Moore tract a distance of 657.40 feet to the POINT OF
18 BEGINNING and containing 703,115 square feet or 16.141 acres of
19 land.

20 EXHIBIT "A"

21 BEING a tract of land situated in the Samuel McCullough Survey,
22 Abstract No. 593, Collin County, Texas and also being part of a
23 73.32 acre tract as recorded in Volume 348, Page 8 of the Deed
24 Records of Collin County, Texas, and also being all of a 21 acre
25 tract as recorded in Volume 577, Page 246 of the Deed Records of
26 Collin County, Texas, and being more particularly described by
27 metes and bounds as follows:

H.B. No. 3914

1 BEGINNING at a 1/2 inch iron rod set for corner, said iron rod being
2 in the North right of way line of F.M 428, said iron rod also being
3 the most Southwest corner of a 16 acre tract as recorded in County
4 Clerks No. 94-0111727;
5 THENCE North 89 deg. 04 min. 23 sec. West following the North ROW
6 line of said F.M. No. 428 a distance of 1231.00 feet to a 1/2 inch
7 square iron rod found for corner at the Southeast corner of a tract
8 conveyed to T.S. Yager and wife, Margret Yager in Volume 1231, Page
9 724, D.R.C.C.T.;
10 THENCE North 00 deg. 41 min. 20 sec. East following the East line of
11 said Yager tract a distance of 2596.00 feet to a 2 inch iron pipe
12 found for corners
13 THENCE South 89 deg. 26 min, 56 sec. East a distance of 1233.75 feet
14 to a 1/2 inch iron rod found for corner at the Northwest corner of
15 said 16 acre tract,
16 THENCE South 0 deg. 44 min. 59 sec. West following the West line of
17 said 16 acres a distance of 2604.08 feet to the POINT OF BEGINNING
18 and containing 3,204,138 square feet or 73.558 acres of land.
19 THENCE, continuing along the South line of said 5.1038 acre tract,
20 South 01 degrees 04 minutes 28 seconds East, a distance of 31.35
21 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped
22 "Pitts 4595" set for corner;
23 THENCE, continuing along said South line, North 88 degrees 55
24 minutes 32 seconds East a distance of 366.53 feet, to a 1/2 inch
25 iron rod with a yellow plastic cap stamped "Pitts 4595" set for
26 corner on the West line of a 99.2888 acre tract of land conveyed to
27 Douglas Barker, as recorded in Volume 1343, Page 599, Deed Records,

1 Collin County, Texas;
2 THENCE, along said West line of a 99.2888 acre tract, South 00
3 degrees 46 minutes 58 seconds East a distance of 2,099.44 feet, to a
4 5/8 inch iron pipe found for the Southeast corner of said 99.301
5 acre tract and being an ell corner of said 99.2888 acre tract;
6 THENCE, along the North line of said 99.2888 acre tract, South 87
7 degrees 44 minutes 58 seconds West a distance of 2,922.24 feet, to a
8 1/2 inch iron rod found for corner;
9 THENCE, generally along a fence row, North 00 degrees 55 minutes 08
10 seconds West a distance of 788.48 feet, to a 1/2 inch iron rod found
11 in the crotch of three large Hackberry trees at the junction of the
12 evidence of an old North-South fence and evidence of an old fence
13 from the East, and being on the South line of a 73.047 acre tract as
14 conveyed to Douglas Barker, as recorded in Volume 1159, Page 423,
15 Deed Records, Collin County, Texas;
16 THENCE, along the South line of said 73.047 acre tract, North 87
17 degrees 45 minutes 55 seconds East a distance of 2,144.18 feet, to a
18 5/8 inch iron rod found for the Southeast corner of said 73.047 acre
19 tract;
20 THENCE, along the East line of said 73.047 acre tract, North 01
21 degrees 47 minutes 07 seconds West a distance of 437.83 feet, to a
22 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set
23 for corner;
24 THENCE, continuing along the East line of said 73.047 acre tract,
25 North 01 degrees 09 minutes 50 seconds West a distance of 366.97
26 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped
27 "Pitts 4595" set for the Southwest corner of a 5.0227 acre tract as

1 conveyed to Robert Jake Jones and Virginia C. Jones;
2 THENCE, along the South line of said 5.0227 acre tract, North 88
3 degrees 55 minutes 32 seconds East a distance of 365.91 feet, to a
4 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set
5 for the Southeast corner of said 5.0227 acre tract;
6 THENCE, along the East line of said 5.0227 acre tract, North 01
7 degrees 04 minutes 28 seconds West a distance of 438.70 feet, to the
8 point of curvature of a curve to the left having a central angle of
9 65 degrees 18 minutes 41 seconds and a radius of 120.00 feet;
10 THENCE, continuing along said East line and said curve to the left,
11 for an arc length of 136.79 feet to a 1/2 inch iron rod with a yellow
12 plastic cap stamped "Pitts 4595" set for corner;
13 THENCE, along the North line of said 5.0227 acre tract, North 66
14 degrees 23 minutes 09 seconds West a distance of 326.99 feet, to the
15 Northernmost corner of said 5.0227 acre tract;
16 THENCE, North 01 degrees 09 minutes 50 seconds West a distance of
17 66.08 feet, to the POINT OF BEGINNING and containing 72.9923 acres
18 of land, more or less.

19 EXHIBIT "A"

20 Situated in the Samuel McCullough Survey, Abstract No. 593 and the
21 BBB & CRR Co. Survey, Abstract No. 132 in Collin County, Texas, and
22 being a called 28.15 Acre tract of land that was conveyed to Mildred
23 Graham Short in Partition Deed recorded in Volume 2325, Page 801 of
24 the Land Records of Collin County, Texas, being more particularly
25 described by metes and bounds to-wit.
26 BEGINNING at an Iron Pin found being the Southwest corner of said
27 tract;

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1 THENCE North 1 degree 05 minutes 30 seconds West with the West line
2 of said tract 1561.28 feet to an Iron Pin set;
3 THENCE South 69 degrees 51 minutes 27 seconds East with the North
4 line of said tract 1066.72 feet to an Iron Pin set in the West
5 right-of-way line of FM Hwy. 428;
6 THENCE with said right-of-way line as follows:
7 South 1 degree 29 minutes East 82.92 feet an Iron Pin set; South 0
8 degrees 20 minutes West 316.0 feet an Iron Pin set; South 7 degrees
9 08 minutes West 264.4 feet an Iron Pin set;
10 South 18 degrees 24 minutes West 94.2 feet to an Iron Pin set, being
11 the P.C. of a curve to the right having a central angle of 64 degrees
12 08 minutes 34 seconds radius of 773.5 feet and a chord bearing of
13 South 57 degrees 30 minutes 40 seconds West;
14 THENCE with said curve 865.95 feet to an Iron Pin set;
15 THENCE South 89 degrees 31 minutes West with said right-of-way line
16 216.6 feet to the place of beginning, containing 28.28 acres.

17 TRACT 3

18 SITUATED in the BBB & CPR Co. Survey, Abstract No. 132 in
19 Collin County, Texas, and being a called 158.83 acre tract of land
20 described in Substitute Trustee's Deed recorded in Volume 2998,
21 gage 191, of the Land Records of Collin County, Texas, being more
22 particularly described by metes and bounds to-wit:

23 BEGINNING at a point at the intersection of the South line of
24 the BBB & CRR Co. Survey, and the West R.O.W. line of the St. Louis -
25 San Francisco and Texas Railroad;

26 THENCE SOUTH 89 degrees 52 minutes West with the South line of
27 said survey, same being the centerline of County Road 55, 951.4 feet

1 to an iron pin;

2 THENCE NORTH 0 degrees 37 minutes West with an old
3 established fence being the East line of a tract of Land described
4 in Volume 28491 Page 861, 203.4 feet to a corner post;

5 THENCE SOUTH 89 degrees 39 minutes West with said fence, same
6 being the North line of said tract 206.86 feet to a corner post;

7 THENCE SOUTH 0 degrees 18 minutes East with said fence 202.63
8 feet to an iron pin in the centerline of County Road 55;

9 THENCE SOUTH 89 degrees 52 minutes West with said road 1971.8
10 feet to an iron pin found;

11 THENCE NORTH 0 degrees 03 minutes West with said County Road
12 1196 feet to an iron pin found;

13 THENCE SOUTH 89 degrees 58 minutes East 45.25 feet to an iron
14 pin found;

15 THENCE in a Northerly direction with the East R.O.W. line of
16 FM Highway 428 as follows:

17 NORTH 0 degrees 13 minutes West 183.6 feet a concrete marker;

18 NORTH 2 degrees 49 minutes East 200.13 feet a concrete
19 marker;

20 NORTH 1 degree 23 minutes West 468.59 feet to an iron pin
21 found;

22 THENCE SOUTH 89 degrees 47 minutes 24 seconds East with an
23 established fence 2048.6 feet to an iron pin found;

24 THENCE SOUTH 1 degrees 02 minutes West with a fence 283.82 feet to
25 an iron pin found;

26 THENCE EASTERLY with an old fence as follows:

27 NORTH 89 degrees 43 minutes East 197.4 feet;

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1 NORTH 138 degrees 35 minutes East 324 feet;
2 SOUTH 68 degrees 25 minutes East 205 feet;
3 SOUTH 82 degrees 14 minutes East 146.2 feet to an iron pin
4 found.

5 THENCE NORTH 0 degrees 13 minutes East with a fence 962.42
6 feet to an iron pin found;

7 THENCE NORTH 88 degrees 56 minutes East with a fence 533.9
8 feet to an iron pin found;

9 THENCE SOUTH 0 degrees 06 minutes East 135.64 feet to an iron
10 pin found;

11 THENCE SOUTH 87 degrees 45 minutes East 176.4 feet to an iron
12 pin found in the West R.O.W. line of the St. Louis - San Francisco
13 and Texas Railroad, '

14 THENCE SOUTH 11 degrees 51 minutes West with said R.O.W line
15 2547 feet to the place of beginning,

16 CONTAINING 157.54 acres.

17 EXHIBIT "A"

18 SITUATED in the B.B.B. & C. RR. Co. Survey, Abstract No. 132,
19 Collin County, Texas, and being more particularly described as
20 follows:

21 BEGINNING at an iron rod set for the Southeast corner of the
22 herein described tract, said iron rod is located West 980 feet from
23 the intersection of the middle of a county road and the West line of
24 the S.L.S.F. & T. Railroad Right-of-Way;

25 THENCE West with the middle of the said county road for a
26 distance of 208.8 feet to an iron rod set for corner;

27 THENCE North 00 degrees 04 minutes West for a distance of

1 19.49 feet to a found 1/2 inch rebar for a corner;
2 THENCE North 00 degrees 01 minutes 05 seconds East, with the West
3 line of said Higgins tract, and in said road, a distance of 744.59
4 feet to a found 1/2 inch rebar for a corner;
5 THENCE South 87 degrees 53 minutes 54 seconds East, with the North
6 line of said Higgins tract, and along the North line of Cedar Street
7 (an asphalt surfaced public street), a distance of 672.70 feet to a
8 set 1/2 inch steel square tubing for a corner;
9 THENCE South 00 degrees 01 minutes 29 seconds West, with the West
10 line of a 10 foot wide concrete alley part of the way, a distance of
11 824.71 feet to a set 1/2 inch steel square tubing for a corner;
12 THENCE South 87 degrees 14 minutes 21 seconds East, with the South
13 line of a 10 foot wide concrete alley part of the way, a distance
14 708.19 feet to a set 1/2 inch steel square tubing for a corner on the
15 East line of said Higgins tract, and the West line of a called 22.74
16 acre tract as shown by Deed to E. L. Higgins dated April 8, 1987; and
17 recorded in Volume 2599, Page 892 of said Deed Records;
18 THENCE South 00 degrees 00 minutes 40 seconds East, with the East
19 line of said Higgins tract, and the West line of said 22.74 acre
20 tract, a distance of 1562.30 feet to a found 1/2 inch rebar for a
21 corner;
22 THENCE South 89 degrees 04 minutes 33 seconds West, with an old
23 fence and tree line, a distance of 533.74 feet to a found 1/2 inch
24 rebar for a corner;
25 THENCE South 00 degrees 06 minutes 14 seconds West, with an old
26 fence and tree line, a distance of 963.27 feet to a set 1/2 inch
27 steel square tubing for a corner;

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1 THENCE North 76 degrees 30 minutes 57 seconds West, a distance of
2 411.39 feet to a set 1/2 inch steel square tubing for a corner;
3 THENCE South 87 degrees 43 minutes 31 seconds West, a distance of
4 186.92 feet to a set 1/2 inch steel square tubing for a corner;
5 THENCE South 89 degrees 58 minutes 09 seconds West, a distance of
6 268.63 feet to the POINT OF BEGINNING and containing 81.528 acres of
7 land.

8 TRACT II - Correct

9 BEING all that certain tract or parcel of land situated in the
10 B.B.B. & C.R.R. Survey, Abstract Number 132, County of Collin,
11 State of Texas; said tract being shown by Deed to E. L. Higgins,
12 dated April 8, 1987, and recorded in Volume 2599, Page 892 of the
13 Deed Records of the County of Collin, State of Texas, and being more
14 fully described as follows:

15 BEGINNING for the Northeast corner of the tract being described
16 herein at a set 1/2 inch steel square tubing by a fence corner post,
17 said tubing being the Northeast corner of said Higgins tract, and on
18 the West right-of-way line of the St. Louis, San Francisco & Texas
19 Railroad;

20 THENCE South 11 degrees 58 minutes 12 seconds West, with the East
21 line of said Higgins tract, and the West line of said Railroad
22 right-of-way, a distance of 2313.40 feet to a set 1/2 inch steel
23 square tubing for a corner;

24 THENCE South 73 degrees 35 minutes 22 seconds West, a distance of
25 20.00 feet to a set 1/2 inch steel square tubing for a corner;

26 THENCE South 29 degrees 22 minutes 23 seconds West, a distance of
27 320.00 feet to a set 1/2 inch steel square tubing for a corner;

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1 THENCE South 88 degrees 37 minutes 53 seconds West, a distance of
2 62.38 feet to a .fence corner-post for the Southwest corner of said
3 Higgins tract;
4 THENCE North 00 degrees 01 minutes 25 seconds East, with the West
5 line of said Higgins tract, a distance of 135.91 feet to a found 1/2
6 inch rebar for .corner;
7 THENCE North 00 degrees 00 minutes 40 seconds West, with the West
8 line of said Higgins tract, a distance of 1567.31 feet to a found
9 1/2 inch rebar for a corner;
10 THENCE North 00 degrees 02 minutes 00 seconds East, with the West
11 line of said Higgins tract, a distance of 421.32 feet to a found 1/2
12 inch rebar for a corner;
13 THENCE-North 89 degrees 30 minutes 57 seconds East, a distance of
14 311.57 feet to a fence corner post for a corner;
15 THENCE North 00 degrees 03 minutes 04 seconds West, a distance of
16 416.61 feet to a fence corner post for a corner;
17 THENCE North 89 degrees 15 minutes 06 seconds East, a distance of
18 407.15 feet to the POINT OF BEGINNING and containing 22.741 acres of
19 land.

20 EXHIBIT A

21 SITUATED in Collin County, Texas, in the Collin County School Land
22 Survey, Abstract No. 167, being a resurvey of the 33.62 acre First
23 Tract and the 6.26 acre Second Tract as described in a deed from
24 B.F. Gearhart and Alice Gearhart to R. L. Willard dated August 9,
25 1909, recorded in Volume 206, Page 493 of the Collin County Deed
26 Records, and, the land owned and claimed by B.F. Willard and Joe
27 Frank Willard, being described by metes and bounds as follows:

H.B. No. 3914

1 BEGINNING at a 1/2" iron pin set beside a corner post at the
2 southwest corner of said 6.26 acre tract, at an ell corner of the
3 Don Thomas Glendenning Family Trust 77.7100 acres, Ref. V. 4444, P.
4 2963;

5 Thence North, with the west line of said 6.26 acre tract, an east
6 line of said 77.7100 acre tract, with an old fence, passing a 1/2"
7 iron pin set on the north side of a corner post at 374.49 feet and
8 continuing in all 419.87 feet to a PK nail set at the northwest
9 corner of said 6.26 acre tract, the northeast corner of said 77.7100
10 acre tract, in the center of the asphalt paved County Road No. 55
11 and in the south line of the Rex K. Glendenning 156.54 acres, Ref.
12 V. 3788, P. 205;

13 Thence North 89 degrees 42 minutes 17 seconds East, 1554.87 feet
14 with the north line of said 6.26 acre tract, the north line of said
15 33.62 acre tract, the south line of said 156.54 acre tract and with
16 the center of said County Road No. 55 to a PK nail set at the
17 northeast corner of said 33.62 acre tract, the southeast corner of
18 said 156.54 acre tract and in the west R.O.W. line of the Burlington
19 Northern Railroad;

20 Thence South 11 degrees 43 minutes 44 seconds West, with the east
21 line of said 33.62 acre tract and with said west R.O.W. line,
22 passing a 1/2" iron pin set in said line at 61.35 feet and
23 continuing in all 2810.81 feet to a 1/2" iron pin set in said west
24 R.O.W. line, on the west side of a cross-tie corner post at the
25 southeast corner of said 33.62 acre tract and the northeast corner
26 of the Eugene Stone 4:66 acres, Ref. V. 810, P. 64;

27 Thence South 89 degrees 38 minutes 16 seconds West, with the south

H.B. No. 3914

1 line of said 33.62 acre tract, the north line of said 4.66 acre
2 tract and with the evidence of an old fence, passing a 1/2 inch iron
3 pin set beside an old post at 250.96 feet and continuing in all
4 359.86 feet to a 1/2" iron pin set at the southwest corner of said
5 33.62 acre tract, the northwest corner of said 4.66 acre tract, in
6 the east line of said 77.7100 acre tract and on the west side of
7 County Dirt Road No. 1117;

8 Thence North, with the west line of said 33.62 acre tract, the east
9 line of said 77.7100 acre tract, coming to the center of said Dirt
10 Road at approximately 200 feet and continuing with the center of
11 said County Road No. 1117, in all 2331.25 feet to a 1/2" iron pin set
12 in the center of said Dirt Road at the southeast corner of said 6.26
13 acre tract and in the west line of said 33.62 acre tract;

14 Thence South 89 degrees 33 minutes 55 seconds West with the south
15 line of said 6.26 acre tract, with a north line of said 77.7100 acre
16 tract, passing a 1/2" iron pin set beside a corner post at 19.4 feet
17 and continuing with an old fence in all 623.64 feet to the PLACE OF
18 BEGINNING and containing 46.743 acres of land.

19 EXHIBIT B

20 "PERMITTED EXCEPTIONS"

21 1. Easement granted by Joe F. Willard to County of Collin, filed
22 10/02/1997, recorded in Volume 4010, Page 569, Land Records of
23 Collin County, Texas, and as shown on survey of G.M. Geer, R.P.L.S.
24 #3258, dated 12/30/2002.

25 2. Easement rights, if any, relative to the overhead electric line
26 and poles as - shown on survey of G.M. Geer, R.P.L.S. #3258, dated
27 12/30/2002.

3. That portion of the property lying within the right-of-way of County Road No. 1117 as shown on survey of G.M. Geer, R.P.L.S. #3258, dated. 12/30/2002.

4. Standby fees, taxes and assessments by any taxing authority for the year 2003, and subsequent years.

EXHIBIT "A1"

BEING all that certain tract or parcel of land lying and being situated in Collin County, Texas; a part of the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 167, and being and including all that certain tract said to contain 50.00 acres as described in a deed from Charlie Ann Tate Lewis to Shaul C. Baruch, Trustee, recorded in

BEING all that certain tract or parcel of land lying and being situated in Collin County, Texas, a part of the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 167, and being and including all that certain tract said to contain 50.00 acres as described in a deed from Charlie Ann Tate Lewis to Shaul C. Baruch, Trustee, recorded in Volume 2751, Page 693 of the Land Records of Collin County, said tract or parcel of land is herein described as follows: to wit:

BEGINNING at an 1/2 inch iron rod found on the West right-of-way line of State Highway No. 289 for the Northeast corner of said called 50.00 acre tract, said corner being on the North line of a called 118 acre tract described:-in a deed to L. L. Lewis recorded .in Volume. 206, Page 196 of the Deed Records of Collin County, said corner also being in the center of a County Road running in'an Easterly and Westerly direction;

THENCE along the West right-of-way line of said State Highway No.

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1 289, South 01: degrees 10 minutes 04 seconds East 831.09 feet to an
2 1/2 inch .iron rod found for corner;
3 THENCE South 88 degrees 53 minutes 04 seconds West 208.08 feet to an
4 1/2 inch-iron rod found-for corner;
5 THENCE South 01 degrees 05 minutes 21 seconds East 480.06 feet to an
6 1/2 inch iron rod found for corner, said corner being the Northeast
7 corner of a called 66.115 acre tract described in a deed to Charlie
8 Ann Tate Lewis-as recorded in Volume 3049, Page 833 of the Land
9 Records of :Collin County;
10 THENCE South 88 degrees 49 minutes 17 seconds West along the South
11 line hereof, common with the North line of said called 66.115 acre
12 tract, a distance of 1667.09 feet to an 1/2 inch iron rod found In
13 the East right-of-way line of the Burlington Northern and Santa Fe
14 Railroad;
15 THENCE along last named line, North 10 degrees 40 minutes 49.
16 seconds East. 1337.71 feet to an 1 inch iron rod found in the center
17 of said County Road;
18 THENCE North 88 degrees 45 minutes 30 seconds East a distance of
19 1601.17 feet to the PLACE OF BEGINNING and containing 49.985 acres
20 of land, more or less.

21 EXHIBIT "A"

22 All that certain tract or parcel of land situated in Lot B of
23 Subdivision number 14 of the Collin County School Land Survey
24 A-167, County of Collin State of Texas as shown on plat recorded in
25 Volume 03, Page 118 of the Deed Records of Collin County, Texas, and
26 said tract being the remaining tract of a called 118 acre tract as
27 described in deed to L.L. Lewis filed 10 November 1916 and recorded

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in Volume 206, Page 196 of said Deed Records and being more fully described as follows:

Beginning for the northeast corner of the tract being described herein at a found 1/2 inch rebar with a plastic cap marked Alliance, said rebar being the northeast remainder corner of said Lewis tract, same being the most easterly southeast corner of a called 49.985 acre tract as described in deed to Old Celina. Ltd. filed 11 July 2002 and recorded in Volume 5208, Page 3398 of said Deed Records and said rebar being on the west line of State Highway Number 289;

Thence South 01 degrees 27 minutes 19 seconds East, with the west line of said highway a distance of 30.62 feet to a wood right of way monument for an angle point in the west line of said highway;

Thence South 01 degrees 56 minutes 18 seconds East, with the west line of said highway, a distance of 316.17 feet to a found 1/2 inch rebar with a plastic cap marked Alliance for an angle point in the west line of said highway;

Thence South 00 degrees 23 minutes 33 seconds East, with the west line of said highway a distance of 333.51 feet to a found 1/2 inch rebar with a plastic cap marked Alliance for the southeast remainder corner of said Lewis tract, same being the most easterly northeast corner of a called 66.020 acre tract as described in deed to Old Celina Ltd. filed 31 July 2003, and recorded in Volume 5471, Page 1109 of said Deed Records;

Thence South 88 degrees 49 minutes 36 seconds West, with the north line of said Old Celina 66 acre tract, a distance of 209.37 feet to a found 1/2 inch rebar with a plastic cap marked Alliance for the

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1 southwest remainder corner of said Lewis tract; same being an ell
2 corner of said Old Celina 66 acre tract;
3 Thence North 01 degrees 10 minutes 27 seconds West, with the east
4 line of said Old Celina 66 acre tract and passing the most northerly
5 northeast corner of said Old Celina 66 acre tract, same being the
6 most southerly southeast corner of said Old Celina 49.985 acre
7 tract and continuing on said course with the east line of said Old
8 Celina 49.985 acre tract a distance of 680.17 feet to a found 1/2
9 inch rebar with a plastic cap marked Alliance for the northwest
10 remainder corner of said Lewis tract, same being an ell corner of
11 said Old Celina 49.985 acre tract
12 Thence North 88 degrees 48 minutes 36 seconds East, with the south
13 line of said Old Celina 49.985 acre tract a distance of 209.56 feet
14 to the POINT OF BEGINNING and containing 3.305 acres of land, more
15 or less.

16 EXHIBIT "A"

17 Legal Description

18 Being a tract of land situated in the Collin County School Land
19 Survey, Abstract No. 14, Abstract No. 167, Collin County, Texas,
20 and being the same tract of land as described in the deed to Charlie
21 Ann Tate Lewis according to the deed recorded in Volume 3049, Page
22 633 of the Deed Records of Collin County, Texas, (D.R.C.C.T.) and
23 being more particularly described as follows:

24 BEGINNING of a 1/2 inch iron rod found at the northwest corner of
25 said Lewis tract, said iron rod also lying on east right-of-way line
26 of the S.O. & S.F. Railroad;

27 THENCE North 88 degrees 49 minutes 19 seconds East, along the common

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1 line of said Lewis tract, and a tract of land conveyed to Rex
2 Glendenning according to the deed recorded in Volume 4476, Page 280
3 D.R.C.C.T., (for a distance of 1.67.42 feet to a 1/2 inch iron rod
4 found at a common interior Interior corner of same;
5 THENCE South 01 degrees 10 minutes 41 seconds East to leaving said
6 common line, for a distance of 197.35 feet to a 5/8 inch iron rod
7 with cap stamped R.P.L.S. 5430 set for corner;
8 THENCE North 88 degrees 48 minutes 28 seconds East for a distance of
9 206.70 feet to a 5/8 inch iron rod with cap stamped R.L.P.S. 5430
10 set on the West right-of--way line of State Highway No. 289;
11 THENCE South 01 degrees 13 minutes 34 seconds East along said West
12 right-of-way line, for a distance of 1,242.72 feet to a 5/8 iron rod
13 with cap stampoed R.P.L.S. 5420 set at the Southeast corner of the
14 aforementioned Lewis tract;
15 THENCE South 88 degrees 53 minutes 32 seconds West leaving said west
16 right-of-way line along the south line of said Lewis tract passing
17 at a distance of 538.88 feet a 1/2 inch iron rod found near the
18 intersection of a barbed wire fence, and continuing with said fence
19 passing at a distance of 2,032.87 feet a 3/8 inch iron rod found,
20 and continuing for a total distance of 2, 179.17 to a 5/8 inch iron
21 rod with cap stamped R.P.L.S. 5430 set at the southwest corner of
22 said Lewis tract, and also lying on the east right-of-way line of
23 the aforementioned S.L. & S.F. Railroad;
24 THENCE North 10 degrees 41 minutes 21 seconds East along said East
25 right-of-way line, for a distance of 1,468.61 feet to the PLACE OF
26 BEGINNING, and containing 2,875.811 square feet or 66.020 acres of
27 land.

Exhibit A

BEING a 13.50 acre tract of land situated in the COLLIN COUNTY SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas, and a portion of a called 38 acre tract of land as conveyed to Dan P. Stone, by deed recorded in Volume 831, Page 82, of the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the Northeast corner of said called 38 acre tract, said point also being the Northwest corner of a called 16 acre tract of land as conveyed to Candice Chen, by deed recorded in Volume 5836, Page 545 of the Deed Records of Collin County, Texas, said iron rod also being in the South line of a tract of land conveyed to Old Celina, Ltd., by deed recorded in Volume 5471, Page 1109, of the Deed Records of Collin County, Texas; THENCE South 00 degrees 58 minutes 32 seconds East, along the common line of said 38 acre tract, and said Chen tract as recorded in Volume 5836, Page 545, a distance of 473.70 feet to a point for corner;

THENCE North 90 degrees 00 minutes 00 seconds West, through the interior of said called 38 acre tract, a distance of 1244.34 feet to a point for corner, said point being in the East line of said called 38 acre tract, same being in the West line of a tract of land conveyed to Ayala Metro Park Properties, Ltd., as recorded in Volume 5431, Page 6738, of the Deed Records of Collin County, Texas; THENCE North 00 degrees 19 minutes 12 seconds West, along the common line of said called 38 acre tract, and said Ayala Metro Park Properties, a distance of 473.64 feet to a 1/2 inch iron rod found

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1 for corner, said point being the Northwest corner of said called 38
2 acre tract, same being the Northeast corner of said Ayala Metro Park
3 Properties, Ltd. tract, and being in the South line of said Old
4 Celina, Ltd. tract;

5 THENCE South 90 degrees 00 minutes 00 seconds East, along the common
6 line of said 38 acre tract, and said Old Celina, Ltd. tract, a
7 distance of 1238.92 feet to the POINT OF BEGINNING and containing
8 588,075 square feet or 13.50 acres of computed land, more or less.

9 Exhibit A

10 BEING a 13.50 acre tract of land situated in the COLLIN COUNTY
11 SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas,
12 and a portion of a called 38 acre tract of land as conveyed to Dan P.
13 Stone by deed recorded in Volume 831, Page 82, of the Deed Records
14 of Collin County, Texas, and being more particularly described as
15 follows:

16 COMMENCING at a 1/2 inch iron rod found for the Northeast corner of
17 the said called 38 acre tract, said point also being the Northwest
18 corner of a called 16 acre tract of land as conveyed to Candice
19 Chen, by deed recorded in Volume 5836, Page 545, of the Deed Records
20 of Collin County, Texas, said iron rod also being in the South line
21 of a tract of land conveyed to Old Celina, Ltd., by deed recorded In
22 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
23 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
24 line of said called 38 acre tract, and said Chen tract as recorded
25 in Volume 5836, Page 545, a distance of 473.70 feet to the POINT OF
26 BEGINNING;

27 THENCE South 00 degrees 58 minutes 32 seconds East, along the common

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1 line of said called 38 acre tract, and said Chen tract as recorded
2 in Volume 5836, Page 545, passing a 3/8 inch iron rod found for the
3 Southwest corner of said Chen tract, same being the Northwest corner
4 of a tract of land conveyed to Candice Chen, by deed recorded in
5 Volume 5836, Page 552, of the Deed Records of Collin County, Texas,
6 and continuing along the common line of said called 38 acre tract
7 and said Chen tract as recorded in Volume 5836, Page 552, passing a
8 3/8 Inch Torn rod found for the Southwest corner of said Chen tract
9 as recorded in Volume 5836, Page 552, same being the Northwest
10 corner of a tract of land conveyed to Candice Chen, by deed recorded
11 In Volume 5836, Page 560, of the Deed Records of Collin County,
12 Texas, and continuing a total distance of 846.30 feet to a 1/2 inch
13 iron rod found for corner, said point being the Southeast corner of
14 said Stone tract, same being the Southwest corner of said Chen tract
15 recorded in Volume 5836, Page 560, said point being in the
16 centerline of County Road No. 53, said point also being in the North
17 line of a called 40 acre tract of land described by the deed
18 recorded in Volume 682, Page 259, of the Deed Records of Collin
19 County, Texas;

20 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
21 line of said called 38 acre tract, and said called 40 acre tract,
22 and the center line of County Road No. 53, a distance of 287.84 feet
23 to a point for corner;

24 THENCE North 00 degrees 19 minutes 12 seconds West, through the
25 interior of said called 38 acre tract, a distance of 847.56 feet to
26 a point for corner;

27 THENCE South 90 degrees 00 minutes 00 seconds East, through the

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1 interior of said called 38 acre tract, a distance of 278.16 feet to
2 the POINT OF BEGINNING and containing 239,668 square feet or 5.50
3 acres of computed land, more or less.

4 Exhibit A

5 Being a 9.426 acre tract of land situated in the COLLIN COUNTY
6 SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas,
7 and a portion of a called 38 acre tract of land as conveyed to Dan P.
8 Stone, by deed recorded in Volume 831, Page 82, of the Deed Records
9 of Collin County, Texas, and being more particularly described as
10 follows:

11 COMMENCING at a 1/2 Inch iron rod found for the northeast corner of
12 the said called 38 acre tract, said point also being the Northwest
13 corner of a called 16 acre tract of land as conveyed to Candice
14 Chen, by deed recorded In Volume 5836, Page 545, of the Deed Records
15 of Collin County, Texas, said iron rod also being in the south line
16 of a tract of land conveyed to Old Celina, Ltd., by deed recorded in
17 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
18 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
19 line of said Stone tract, and said Chen tract as recorded In Volume
20 5836, Page 545, a distance of 473.70 feet to a point for corner,
21 THENCE North 90 degrees 00 minutes 00 seconds West, through the
22 interior of said called 38 acre tract, a distance of 761.90 feet to
23 a point for corner, said point being the POINT OF BEGINNING;
24 THENCE South 00 degrees 19 minutes 12 seconds East, through the
25 interior of said called 38 acre tract, a distance of 849.86 feet to
26 a point for corner, said point being In the South line of said
27 called 38 acre tract, same being In the center line of County Road

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No. 53, same being in the North line of a called 40 acre tract of land described by the deed recorded in Volume 682, Page 259, of the Deed Records of Collin County, Texas;

THENCE South 89 degrees 43 minutes 40 seconds West, along the common line of said called 38 acre tract, and said called 40 acre tract, and the center line of County Road No. 53, a distance of 482.43 feet to a 1/2 inch iron rod found for corner, said point being the Southwest corner of said called 38 acre tract;

THENCE North 00 degrees 19 minutes 12 seconds West, along the West line of said called 38 acre tract, passing the Southeast corner of a tract of land conveyed to Ayala Metro Park Properties, Ltd., as recorded in Volume 5431, Page 6738, of the Deed Records of Collin County, Texas, at a distance of 22.29 feet, and continuing along the common line of said called 38 acre tract, and said Ayala Metro Park Properties, Ltd. tract, a total distance of 852.15 feet to a point for corner;

THENCE North 90 degrees 00 minutes 00 seconds East, through the interior of said called 38 acre tract, a distance of 482.44 feet to the POINT OF BEGINNING and containing 410,551 square feet or 9.425 acres of computed land, more or less.

Exhibit A

BEING a 9.426 acre tract of land situated in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and a portion of a called 38 acre tract of land as conveyed to Don P. Stone, by deed recorded in Volume 831, Page 82, of the Deed Records of Collin County, Texas, and being more particularly described as follows:

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1 COMMENCING at a 1/2 inch iron rod found for the northeast corner of
2 the said called 38 acre tract, said point also being the Northwest
3 corner of a called 16 acre tract of land as conveyed to Candice
4 Chen, by deed recorded In Volume 5836, Page 545, of the Deed Records
5 of Collin County, Texas, said iron rod also being in the south line
6 of a tract of land conveyed to Old Celina, Ltd. by deed recorded in
7 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
8 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
9 line of said called 38 acre tract, and said Chen tract as recorded
10 in Volume 5836, Page 545, a distance of 473.70 feet to a point for
11 corner;

12 THENCE North 90 degrees 00 minutes 00 seconds West, 278.16 feet to
13 the POINT OF BEGINNING;

14 THENCE South 00 degrees 19 minutes 12 seconds East, through the
15 interior of said called 38 acre tract, a distance of 847.56 feet to
16 a point for corner, said point being in the south line of said
17 called 38 acre tract, same being in the center line of County Road
18 No. 53, said point also being in the north line of a called 40 acre
19 tract of land described by the deed recorded in Volume 682, Page
20 259, of the Deed Records of Collin County, Texas;

21 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
22 line of said 38 acre tract, and said called 40 acre tract, and the
23 center line of County Road No. 53, a distance of 483.73 feet to a
24 point for corner;

25 THENCE North 00 degrees 19 minutes 12 seconds West, through the
26 interior of said called 38 acre tract, a distance of 849.86 feet to
27 a point for corner;

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1 THENCE South 90 degrees 00 minutes 00 seconds East, through the
2 interior of said called 38 acre tract, a distance of 483.74 feet to
3 the POINT OF BEGINNING and containing 410,545 square feet or 9.428
4 acres of computed land.

5 Exhibit A

6 Tract One

7 All that certain tract or parcel of land situated in Lot 8 of
8 Subdivision 14 of the Collin County School Lands, Abstract Number
9 167, County of Collin, State of Texas, according to plat of the same
10 recorded in volume 03 page 118 of the deed records of Collin County,
11 Texas, said tract being part of the monumented tract on the ground
12 of a called 8.772 acre tract as described to deed to Ryno Materials,
13 Inc., filed 21 April 2006, and recorded in county clerks number
14 06-000536590 of the deed records of the County of Collin, State of
15 Texas, and being more fully described as follows,

16 Beginning for the northeast corner of the tract being described
17 herein at a found 3/8 inch rebar, said rebar being the northeast
18 corner of said Ryno tract, same being the northwest corner of a
19 called 7,646 acre tract as described in deed to Ayala Metro Park
20 Properties,, filed 04 July 2003, and recorded in volume 5431 page
21 6738 of said deed records, said rebar also being on the south line
22 of a caled 66.02 acre tract as described in deed to Old Celina, Ltd,
23 filed 31 July 2005, and recorded in volume 5471 page 1109 of said
24 deed records;

25 Thence: South 00 degrees 07 minutes 36 seconds West, with the
26 monumented east line of said Ryno tract, a distance of 201.95 feet
27 to a set 1/2 inch steel square tubing, for the southeast corner of

1 this tract;

2 Thence: North 89 degrees 05 minutes 00 seconds West, a distance of
3 191.73 feet to a set 1/2 inch steel square tubing for the southwest
4 corner of this tract, said tubing being on the west line of said
5 Ryno tract, same being the east line of the Burlington Northern
6 ,Railroad,●

7 Thence: North 12 degrees 48 minutes 09 seconds East, with the east
8 line of said railroad a distance of 206.40 feet to a set 1/2 inch
9 steel square tubing for the northwest corner of said Ryno tract,
10 same being the southwest corner of said Old Celina tract, and said
11 tubing being South 24 degrees 24 minutes 28 seconds West, a distance
12 of 5.89 feet from a found 1/2 Inch rebar with a plastic cap marked
13 Wisdom 3646;

14 Thence, South 89 degrees 04 minutes 00 seconds East, with the north
15 line of said Ryno tract, and with the south line of said Old Celina
16 tract, a distance of 146.45 feet to the POINT OF BEGINNING and
17 containing 0.784 of an acre of land

18 Exhibit

19 Tract Three

20 All that certain tract or parcel of land situated in Lot 8 of
21 Subdivision 14 of the Collin County School Lands, Abstract Number
22 167, County of Collin State of Texas, according to plat of the same
23 recorded in volume 03 page 118 of the deed records of Collin County,
24 Texas, sold tract being part of the monumented tract on the ground
25 of a called 8.772 acre tract as described in deed to Ryno
26 .Materials, Inc., filed 21 April 2006, and recorder! in county
27 clerks number 06-000536590 of the deed records of the County of

1 Collin, State of Texas, and being more fully described as follows:
2 Beginning for the northeast corner of the tract being described
3 herein at a set 1/2 inch steel square tubing, said tubing being an
4 the monumented east line of said Ryno tract, and said tubing being
5 South 00 degrees 07 minutes 36 seconds West, a distance of 651.67
6 feet from a found 3/8 inch rebar, said rebar being the northeast
7 corner of said Ryno tract, same being the northwest corner of a
8 called 7.646 acre tract as described in deed to Ayala Metro Park
9 Properties, filed 04 June 2003, and recorded in volume 5431 page
10 6738 of said deed records, said rebar also being on the south line
11 of a caled 66.02 acre tract at described in deed to Old Celina, Ltd,
12 filed 31 July 2003, and recorded In volume 5471 page 1109 of said
13 deed records;
14 Thence: South 00 degrees 07 minutes 36 seconds West, with the
15 monumented east line of-raid Ryno tract and passing at 648.22 feet a
16 found 1/2 inch rebar with a plastic cap marked Wisdom 3646 on the
17 north side of Collin County Road Number 53, and continuing on said
18 course a total distance of 674.50 feet to a point for the southeast
19 corner of this tract;
20 Thence: North 89 degrees 05 minutes 00 seconds West, with the south
21 line of said Ryno tract, and with said road a distance of 393.80
22 feet to a set railroad spike for the most southerly southwest corner
23 of said Ryno tract;
24 Thence. North 12 degrees 48 minutes 34 seconds West, with the
25 monumented west line of sold Ryno tract, and passing at 24.11 feet a
26 found "X" in a concrete wall on the north side of said road and
27 continuing on said course, a total distance of 178.85 feet to a

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1 found 1/2 inch rebar with a plastic cap marked Wisdom 3646 for the
2 monumented ell corner of said Ryno tract;
3 Thence: North 89 degrees 02 minutes 33 seconds West, with the
4 monumented south line of said Ryno tract, a distance of 50 06 feet
5 to a found 1/2 inch rebar with a plastic cap marked Wisdom 3646 for
6 the monumented most westerly southwest corner of said Ryno tract,
7 said rebar being the east line of the Burlington Northern Railroad.
8 Thence: North 12 degrees 48 minutes 09 seconds East, with the east
9 line of said railroad a distance of 510.33 feet to a set 1/2 inch
10 steel square tubing for the northwest corner of this tract;
11 Thence: South 89 degrees 05 minutes 00 seconds East, a distance of
12 292,60 feet to the POINT OF BEGINNING and containing 5.500 acres of
13 land

14 Exhibit A

15 Tract Two

16 All that certain tract or parcel of land situated in Lot 8 of
17 Subdivision 14 of the Collin County School Lands, Abstract Number
18 167, County of Collin State of Texas, according to plat of the same
19 recorded In volume 03 page 118 of the deed records of Collin County,
20 Texas, .said tract being part of the monumented tract on the ground
21 of a called 8.772 acre tract as described in deed to Ryno Materials,
22 Inc., filed 21 April 2006, and recorded In county clerks number
23 06-000536590 of the deed records of the County of Collin; State of
24 Texas, and being more fully described as follows:

25 Beginning for the northeast corner of the it-act being described
26 herein at a set 1/2 inch steel square tubing, said tubing being on
27 the monumented east line of said Ryno tract, and said tubing being

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1 South 00 degrees 07 minutes 36 seconds West, a distance of 201.95
2 feet from a found 3/8 inch rebar, said rebar being the northeast
3 corner of said Ryno tract, same being the northwest corner of a
4 called 7 646 acre tract as described in deed to Ayala Metro, Park
5 Properties, filed 04 June 2003, and recorded in volume 5431 page
6 6738 of said deed records, said re bar also being on the south line
7 of a caled 66 02 acre tract as described in deed to Old Celina Ltd,
8 filed 31 July 2005, and recorded in volume 547,1 page 1109 of said
9 deed recasts;

10 Thence:. South 00 degrees 07 minutes 36 seconds West, with the
11 monumented east line of said Ryno tract, a distance of 449.72 feet
12 to a set 1/2 inch steel square tubing for the southeast corner of
13 this tract;

14 Thence: North 89 degrees 05 minutes 00 seconds West, a distance of
15 292.60 feet to a set 1/2 inch steel square tubing for the southwest
16 corner of this tract, said tubing being on the west line of said
17 Ryno tract, same being the east line of the Burlington Northern
18 Railroad;

19 Thence: North 12 degrees 48 minutes 69 seconds East, with the east
20 line of said railroad, a distanee of 439.53 feet to a set 1/2 inch
21 steel square tubing for the northwest corner of this tract;

22 Thence: South 89 degrees 05 minutes 00 seconds East, a distance of
23 191.75 feet to the POINT OF BEGINNING and containing 2.500 acres of
24 land.

25 Exhibit "A" 4 5 5 1 1849

26 BEING a tract of land situated in the COLLIN COUNTY SCHOOL LAND
27 SURVEY, ABSTRACT NO. 167, Collin County, Texas, and also being part

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1 of a 125.871 acre tract as recorded in Volume 1775, Page 454 of the
2 Deed Records of Collin County, Texas, and being more particularly
3 described by metes and bounds as follows:

4 BEGINNING at a 1/2 inch iron rod set for corner at the Northwest
5 corner of 70.0 acre tract as recorded in Volume 2868, Page 203, Deed
6 Records, Collin County, Texas, said iron rod also being in the West
7 line of a 72.00 acre tract as recorded in Volume 2532, Page 562,
8 Deed Records, Collin County, Texas;

9 THENCE South 89 degrees 56 minutes 19 seconds West following the
10 North line of said 70 acre tract a distance of 2266.24 feet to a 1/2
11 inch iron rod set for corner at the Northwest corner of said 70.00
12 acre tract, said iron rod also being in the East right of way line of
13 State Highway No. 289 a variable-width ROW;

14 THENCE following the-East ROW line of State Highway No. 289:

15 North 18 degrees 10 minutes 56 seconds East, 24.17 feet 1/2
16 inch iron rod set;

17 North 19 degrees 19 minutes 00 seconds East, 254.08 feet 1/2
18 inch iron rod set;

19 North 89 degrees 46 minutes 00 seconds East, 103.11 feet-1/2
20 inch iron rod set;'

21 North 02 degrees 20 minutes 00 seconds West, 35.64 feet 1/2
22 inch iron rod set;

23 North 04 degrees 18 minutes 00 seconds West, 170.90 feet 1/2
24 inch iron rod set;

25 North 18 degrees 11 minutes 00 seconds East, 122.11 feet 1/2
26 inch iron rod set;

27 North 12 degrees 28 minutes 00 seconds East, 100.50 feet 1/2

1 inch iron rod set;

2 North 14 degrees 22 minutes 00 seconds East, 300.67 feet 1/2
3 inch-iron-rod set;

4 THENCE North 18 degrees 11 minutes 00 seconds East following the
5 East ROW line of State Highway No. 289 a distance of 200.09 feet to a
6 1/2 inch iron rod set for corner at the Southwest corner-of a 8.755
7 acre tract as recorded in Volume 814, Page 808, Deed Records, Collin
8 County, Texas;

9 THENCE North 88 degrees 04 minutes 32 seconds East following the
10 South line of said 8.755 acre tract a distance of 555.09 feet to a
11 1/2 inch iron rod found for corner at the Southeast corner of said
12 8.755 acre tract, said iron rod also being at the Southwest corner
13 of a 117.12 acre tract as recorded in Volume 2532, Page 562, Deed
14 Records, Collin County, Texas;

15 THENCE North 88 degrees 56 minutes 39 seconds East following the
16 South line of said 117.12 acre tract a distance of 1312.82 feet to a
17 5/8 inch iron rod found for corner at the Northwest corner of said
18 72.00 acre tract;

19 THENCE South 01 degree 01 minute 35 seconds East following the West
20 line of said 72.00 acre tract a distance of 1205.28 feet to the
21 POINT OF BEGINNING and containing 2,427,096 square feet or 55.718
22 acres of land, more or less.

23 Exhibit A

24 BEING a 2.59 acre tract of land situated in the Collin County School
25 Land Survey, Abstract No. 167, in the City of Celina, COLLIN County,
26 Texas, and being portion of a tract of a called 125.871 acre tract
27 of land conveyed to Old Celina, Ltd. by deed recorded in Volume

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1775, Page 454, of the Deed Records of Collin County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found for the Southwest corner of a called 8.755 acre tract of land recorded in Volume 814, Page 808, of the Deed Records of COLLIN County, Texas, same being in the East right-of-way line of State Highway No. 289 (a variable width right-of-way);

THENCE North 88 degrees 04 minutes 32 seconds East, along the South line of said called 8.755 acre tract, a distance of 340.00 feet to a 1/2 inch iron rod set for corner, said point being the POINT OF BEGINNING;

THENCE North 88 degrees 04 minutes 32 seconds East, continuing along the South line of said called 8.755 acre tract, a distance of 63.90 feet to a 1/2 inch iron rod set for corner;

THENCE South 18 degrees 11 minutes 00 seconds West, through the interior of said called 125.871 acre tract, a distance of 602.60 feet to a 1/2 inch iron rod set for corner;

THENCE South 88 degrees 04 minutes 32 seconds West, through the interior of said called 125.871 acre tract, a distance of 372.79 feet to a 1/2 inch iron rod set for corner, said point being in the East right-of-way line of said State Highway No. 289;

THENCE North 12 degrees 28 minutes 00 seconds East, along the East right-of-way line of said State Highway No. 289, a distance of 92.27 feet to a 1/2 Inch Iron rod set for corner;

THENCE North 14 degrees 22 minutes 00 seconds East, along the East right-of-way line of said State Highway No. 289, a distance of 155.95 feet to a 1/2 inch iron rod set for corner;

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1 THENCE North 88 degrees 04 minutes 32 seconds East, through the
2 interior of said called 125.871 acre tract, a distance of 329.74
3 feet to a 1/2 inch iron rod set for corner;

4 THENCE North 18 degrees 11 minutes 00 seconds East, through the
5 interior of said called 125.871 acre tract, a distance of 348.02
6 feet to the POINT OF BEGINNING and CONTAINING 112,734 square feet or
7 2.59 acres of computed land, more or less.

8 EXHIBIT A

9 SITUATED in the State of Texas, County of Collin, being part of the
10 Collin County School Land Survey, Abstract No. 167, being the
11 resurvey of a called 70.00 acre tract of land recorded in Volume
12 2868, Page 203 of the Collin County Land Records with said premises
13 being more particularly described as follows:

14 BEGINNING at a 1/2-inch iron rod found marking the northeast corner
15 of said 70.00 acre tract, the southeast corner of a 55.718 acre
16 tract surveyed by David Surdukan dated October 4, 1999, said
17 beginning corner also being in the west line of a 74.00 acre tract
18 recorded in Volume 314, Page 534 of the Collin County Deed Records;
19 THENCE with the east line of said 70.00 acre tract and the west line
20 of said 74.00 acre tract as follows:

21 South 00 degrees 39 minutes 50 seconds East, 557.47 feet;

22 South 09 degrees 53 minutes 25 seconds West, 11.80 feet;

23 South 01 degrees 00 minutes 34 seconds East, 860.79 feet to a
24 railroad spike found in the asphalt of County Road No. 91 marking
25 the southeast corner of said 70.00 acre tract and being in the north
26 line of a 21.970 acre tract recorded under Volume 4388, Page 2079 of
27 the Collin County Land Records;

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1 THENCE along County Road No. 91, the south line of said 70.00 acre
2 tract, the north line of said 21.970 acre tract and the north line
3 of 10.476 acre tract recorded in volume 788, Page 714 of the Collin
4 County Deed Records, South 88 degrees 29 minutes 47 seconds West,
5 1302.22 feet to a railroad spike found marking the most southerly
6 southeast corner of said 70.00 acre tract;
7 THENCE with a west line of said 70.00 acre tract and an east line of
8 a 40.886 acre tract recorded under County Clerk No. 93-0018472 of
9 the Collin County Land Records, North 01 degrees 05 minutes 25
10 seconds West, 428.80 feet to a 5/8-inch iron rod found marking the
11 most northerly northeast corner of said 40.886 acre tract;
12 THENCE with a south line of said 70.00 acre tract and the north line
13 of said 40.886 acre tract, South 88 degrees 24 minutes 24 seconds
14 West, 777.67 feet to a 1/2 inch iron rod found marking the southeast
15 corner of an abandoned 60-foot road right-of-way;
16 THENCE with the south line of said abandoned road right-of-way,
17 South 88 degrees 26 minutes 57 seconds West, 544.48 feet to a
18 3/8-inch iron rod found in the east right-of-way line of State
19 Highway 289 (variable R.O.W.) marking the southwest corner of said
20 road abandonment;
21 THENCE with the east right-of-way line of State Highway No. 289 and
22 the west line of said 70.00 acre tract as follows:
23 North 17 degrees 47 minutes 47 seconds East, 63.75 feet to a
24 1/2-inch iron found;
25 North 17 degrees 14 minutes 00 seconds East, 284.05 feet to a
26 1/2-inch iron rod set;
27 North 18 degrees 11 minutes 00 seconds East, 775.83 feet to a

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1 1/2-inch iron rod found marking the northwest corner of said 70.00
2 acre tract and the southwest corner of the aforementioned 55.718
3 acre tract;

4 THENCE with the north line of said 70.00 acre tract and the south
5 line of said 55.718 acre tract, North 89 degrees 56 minutes 19
6 seconds East, 2266.24 feet to the point of beginning and containing
7 70.802 gross acres of land.

8 EXHIBIT B

9 "PERMITTED EXCEPTIONS"

10 1. Thirty foot (30') wide easement granted by George Wu to the
11 County of Collin, filed 05/26/1998, recorded in Volume 4172, Page
12 204, Land Records of Collin County, Texas, and as shown on survey of
13 F. E. Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last
14 revised 07/22/2002.

15 2. That portion of the property lying within the right of way of
16 County Road No. 1211 and County Road No. 91, as shown on the survey
17 of F. E. Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last
18 revised 07/22/2002.

19 3. Mineral estate and interest described in instrument filed
20 11/16/1983, recorded in Volume 1775, Page 454, Land Records of
21 Collin County, Texas. Title to said interest not checked,
22 subsequent to the date thereof. As noted on survey of F. E.
23 Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last revised
24 07/22/2002.

25 SECTION 3. (a) The legal notice of the intention to
26 introduce this Act, setting forth the general substance of this
27 Act, has been published as provided by law, and the notice and a

1 copy of this Act have been furnished to all persons, agencies,
2 officials, or entities to which they are required to be furnished
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
4 Government Code.

5 (b) The governor, one of the required recipients, has
6 submitted the notice and Act to the Texas Commission on
7 Environmental Quality.

8 (c) The Texas Commission on Environmental Quality has filed
9 its recommendations relating to this Act with the governor,
10 lieutenant governor, and speaker of the house of representatives
11 within the required time.

12 (d) All requirements of the constitution and laws of this
13 state and the rules and procedures of the legislature with respect
14 to the notice, introduction, and passage of this Act have been
15 fulfilled and accomplished.

16 SECTION 4. This Act takes effect September 1, 2013.